

## APPENDIX II: 1998 BIENNIAL REGULATORY REVIEW PROCEEDINGS

### A. PROCEEDINGS INITIATED – COMPLETED/SIGNIFICANT ORDERS ISSUED

#### 1. Telecommunications Providers (Common Carriers)

Streamline and consolidate rules governing application procedures for wireless services to facilitate introduction of electronic filing via the Universal Licensing System. *1998 Biennial Regulatory Review – Amendment of Parts 0, 1, 13, 22, 24, 26, 27, 80, 87, 90, 95, 97, and 101 of the Commission's Rules to Facilitate the Development and Use of the Universal Licensing System in the Wireless Telecommunications Services*, WT Dkt No. 98-20, *NPRM*, FCC 98-25 (rel. March 19, 1998), *R&O*, FCC 98-234 (rel. Oct. 21, 1998).

Streamline the equipment authorization program by implementing the recent mutual recognition agreement with Europe and providing for private equipment certification. *1998 Biennial Regulatory Review – Amendment of Parts 2, 25 and 68 of the Commission's Rules to Further Streamline the Equipment Authorization Process for Radio Frequency Equipment, Modify the Equipment Authorization Process for Telephone Terminal Equipment, Implement Mutual Recognition Agreements and Begin Implementation of the Global Mobile Personal Communications by Satellite (GMPCS) Arrangements*, GEN Dkt No. 98-68, *NPRM*, FCC 98-92 (rel. May 18, 1998), *R&O*, FCC 98-338 (rel. Dec. 23, 1998).

Eliminate rules concerning the provision of telegraph and telephone franks. *1998 Biennial Regulatory Review – Elimination of Part 41 Telegraph and Telephone Franks*, CC Dkt No. 98-119, *NPRM*, FCC 98-152 (rel. July 21, 1998), *R&O*, FCC 98-344 (rel. Feb. 3, 1999).

In addition to addressing issues remanded by the Ninth Circuit, reexamine the nonstructural safeguards regime governing the provision of enhanced services by the Bell Operating Companies (BOCs) and consider elimination of requirement that BOCs file Comparably Efficient Interconnection (CEI) plans. *Computer III Further Remand Proceedings: Bell Operating Company Provision of Enhanced Services; 1998 Biennial Regulatory Review – Review of Computer III and ONA Safeguards and Requirements*, CC Dkt Nos. 95-20 and 98-10, *FNPRM*, FCC 98-8 (rel. Jan. 30, 1998), *R&O*, FCC 99-36 (rel. Mar. 10, 1999).

Provide for a blanket section 214 authorization for international service to destinations where the carrier has no affiliate; eliminate prior review of *pro forma* transfers of control and assignments of international section 214 authorizations; streamline and simplify rules applicable to international service authorizations and submarine cable landing licenses. *1998 Biennial Regulatory Review – Review of International Common Carrier Regulations*, IB Dkt No. 98-118, *NPRM*, FCC 98-149 (rel. July 14, 1998), *R&O*, FCC 99-51 (rel. Mar. 23, 1999).

Removal or reduction of, or forbearance from enforcing, regulatory burdens on carriers filing for technology testing authorization. *1998 Biennial Regulatory Review – Testing New Technology*, CC Dkt No. 98-94, *NOI*, FCC 98-118 (rel. June 11, 1998), *Policy Statement*, FCC 99-53 (rel. Apr. 2, 1999).

Deregulate or streamline policies governing settlement of accounts for exchange of telephone traffic between U.S. and foreign carriers. *1998 Biennial Regulatory Review – Reform of the International Settlements Policy and Associated Filing Requirements*, IB Dkt No. 98-148, *NPRM*, FCC 98-190 (rel. Aug. 6, 1998), *R&O*, FCC 99-73 (rel. May 6, 1999).

Deregulate radio frequency (RF) lighting requirements to foster the development of new, more energy efficient RF lighting technologies. *1998 Biennial Regulatory Review – Amendment of Part 18 of the Commission’s Rules to Update Regulations for RF Lighting Devices*, ET Dkt No. 98-42, *NPRM*, FCC 98-53 (rel. Apr. 9, 1998), *R&O*, FCC 98-135 (rel. June 6, 1999).

Modify accounting rules to reduce burdens on carriers. *1998 Biennial Regulatory Review – Review of Accounting and Cost Allocation Requirements*, CC Dkt No. 98-81, *NPRM*, FCC 98-108 (rel. June 17, 1998), *R&O*, FCC 99-106 (rel. June 30, 1999).

Eliminate duplicative or unnecessary common carrier reporting requirements. *1998 Biennial Regulatory Review – Review of ARMIS Reporting Requirements*, CC Dkt No. 98-117, *NPRM*, FCC 98-147 (rel. July 17, 1998), *R&O*, FCC 99-107 (rel. June 30, 1999).

Privatize the administration of international accounting settlements in the maritime mobile and maritime satellite radio services. *1998 Biennial Regulatory Review – Review of Accounts Settlement in the Maritime Mobile and Maritime Mobile-Satellite Radio Services and Withdrawal of the Commission as an Accounting Authority in the Maritime Mobile and the Maritime Mobile-Satellite Radio Services Except for Distress and Safety Communications*, IB Dkt No. 98-96, *NPRM*, FCC 98-123 (rel. July 17, 1998), *R&O and FNPRM*, FCC 99-150 (rel. July 13, 1999).

Streamline and rationalize information and payment collection from contributors to Telecommunications Relay Service, North American Numbering Plan Administration, Universal Service, and Local Number Portability Administration funds. *1998 Biennial Regulatory Review – Streamlined Contributor Reporting Requirements Associated with Administration of Telecommunications Relay Services, North American Numbering Plan, Local Number Portability, and Universal Service Support Mechanisms*, CC Dkt No. 98-171, *NPRM*, FCC 98-233 (rel. Sept. 25, 1998), *R&O*, FCC 99-175 (rel. July 15, 1999).

Repeal Part 62 rules regarding interlocking directorates among carriers. *1998 Biennial Regulatory Review – Repeal of Part 62 of the Commission’s Rules*, CC Dkt No. 98-195, *NPRM*, FCC 98-294 (rel. Nov. 17, 1998), *R&O*, FCC 99-163 (rel. July 16, 1999).

Simplify Part 61 tariff and price cap rules. *1998 Biennial Regulatory Review – Part 61 of the Commission’s Rules and Related Tariffing Requirements*, CC Dkt No. 98-131, *NPRM*, FCC 98-164 (rel. July 24, 1998), *R&O*, FCC 99-173 (rel. Aug. 8, 1999).

Consider modifications or alternatives to the 45 MHz CMRS spectrum cap and other CMRS aggregation limits and cross-ownership rules. *1998 Biennial Regulatory Review – Review of CMRS Spectrum Cap and Other CMRS Aggregation Limits and Cross-Ownership Rules*, WT Dkt No. 98-205, *NPRM*, FCC 98-308 (rel. Dec. 18, 1998), *R&O*, FCC 99-244 (rel. Sept. 22, 1999).

Eliminate or streamline various rules prescribing depreciation rates for common carriers. *1998 Biennial Regulatory Review – Review of Depreciation Requirements for Incumbent Local Exchange Carriers*, CC Dkt No. 98-137, *NPRM*, FCC 98-170 (rel. Oct. 14, 1998), *R&O*, FCC 99-397 (rel. Dec. 17, 1999), *FNPRM*, FCC 00-119 (rel. Apr. 3, 2000).

## **2. Other**

Amend cable and broadcast annual employment report due dates to streamline and simplify filing. *1998 Biennial Regulatory Review – Amendment of sections 73.3612 and 76.77 of the*

*Commission's Rules Concerning Filing Dates for the Commission's Equal Employment Opportunity Annual Employment Reports, MO&O, FCC 98-39 (rel. Mar. 16, 1998).*

Streamline broadcast filing and licensing procedures. *1998 Biennial Regulatory Review – Streamlining of Mass Media Applications, Rules and Processes, MM Dkt No. 98-43, NPRM, FCC 98-57 (rel. Apr. 3, 1998), R&O, FCC 98-281 (rel. Nov. 25, 1998), on recon., 14 FCC Rcd 17525 (1999).*

Provide for electronic filing for assignment and change of radio and TV call signs. *1998 Biennial Regulatory Review – Amendment of Part 73 and Part 74 Relating to Call Sign Assignments for Broadcast Stations, MM Dkt No. 98-98, NPRM, FCC 98-130 (rel. June 30, 1998), R&O, FCC 98-324 (rel. Dec. 16, 1998).*

Simplify and unify Part 76 cable pleading and complaint process rules. *1998 Biennial Regulatory Review – Part 76 - Cable Television Service Pleading and Complaint Rules, CS Dkt No. 98-54, NPRM, FCC 98-68 (rel. Apr. 22, 1998), R&O, FCC 98-348 (rel. Jan. 8, 1999).*

Streamline the Gettysburg reference facilities so that electronic filing and electronic access can substitute for the current method of written filings/access. *1998 Biennial Regulatory Review – Amendment of Part 0 of the Commission's Rules to Close the Wireless Telecommunications Bureau's Gettysburg Reference Facility, WT Dkt No. 98-160, NPRM, FCC 98-217 (rel. Sept. 18, 1998), R&O, FCC 99-45 (rel. Mar. 11, 1999).*

Streamline and consolidate public file requirements applicable to cable television systems. *1998 Biennial Regulatory Review – Streamlining of Cable Television Services Part 76 Public File and Notice Requirements, CS Dkt No. 98-132, NPRM, FCC 98-159 (rel. July 20, 1998), R&O, FCC 99-12 (rel. Mar. 26, 1999).*

Streamline AM/FM radio technical rules and policies. *1998 Biennial Regulatory Review – Streamlining of Radio Technical Rules in Parts 73 and 74 of the Commission's Rules, MM Dkt No. 98-93, NPRM, FCC 98-117 (rel. June 15, 1998), First R&O, FCC 99-55 (rel. Mar. 30, 1999).*

Modify or eliminate Form 325, annual cable television system report. *1998 Biennial Regulatory Review – "Annual Report of Cable Television System," Form 325, Filed Pursuant to Section 76.403 of the Commission's Rules, CS Dkt No. 98-61, NPRM, FCC 98-79 (rel. Apr. 30, 1998), R&O, FCC 99-13 (rel. Mar. 31, 1999).*

Streamline application of Part 97 amateur service rules. *1998 Biennial Regulatory Review – Amendment of Part 97 of the Commission's Amateur Service Rules, WT Dkt No. 98-143, NPRM, FCC 98-1831 (rel. Aug. 10, 1998), R&O, FCC 99-412 (rel. Dec. 30, 1999).*

Conduct broad inquiry into broadcast ownership rules not the subject of other pending proceedings. *1998 Biennial Regulatory Review – Review of the Commission's Broadcast Ownership Rules and Other Rules Adopted Pursuant to section 202 of the Telecommunications Act of 1996, MM Dkt No. 98-35, NOI, FCC 98-37 (rel. Mar. 13, 1998), Report, FCC 00-191 (rel. June 20, 2000).*

Streamline Part 90 private land mobile services rules. *1998 Biennial Regulatory Review – 47 C.F.R. Part 90 – Private Land Mobile Radio Services, WT Dkt No. 98-182, NPRM, FCC 98-251 (rel. Oct. 20, 1998), R&O, FCC 00-235 (rel. July 12, 2000).*

## **B. PROCEEDINGS INITIATED – PENDING**

### **1. Telecommunications Providers (Common Carriers)**

In *NPRM* portion, consider forbearance from additional requirements regarding telephone operator services applicable to commercial mobile radio service providers (CMRS) and, more generally, forbearance from other statutory and regulatory provisions applicable to CMRS providers. *Personal Communications Industry Association's Broadband Personal Communications Services Alliances' Petition for Forbearance For Broadband Personal Communications Services; 1998 Biennial Regulatory Review - Elimination or Streamlining of Unnecessary and Obsolete CMRS Regulations; Forbearance from Applying Provisions of the Communications Act to Wireless Telecommunications Carriers*, WT Dkt No. 98-100, *MO&O and NPRM*, FCC 98-134 (rel. July 2, 1998).

Modify Part 68 rules that limit the power levels at which any device attached to the network can operate to allow use of 56 Kbps modems. *1998 Biennial Regulatory Review – Modifications to Signal Power Limitations Contained in Part 68 of the Commission's Rules*, CC Dkt No. 98-163, *NPRM*, FCC 98-221 (rel. Sept. 16, 1998).

Modify or eliminate Part 64 restrictions on bundling of telecommunications service with customer premises equipment. *1998 Biennial Regulatory Review – Policy and Rules Concerning the Interstate, Interexchange Marketplace/implementation of Section 254(g) of the Communications Act of 1934, as Amended/Review of the Customer Premises Equipment and Enhanced Services Unbundling Rules in the Interexchange, Exchange Access and Local Exchange Markets*, CC Dkt Nos. 98-183 and 96-61, *FNPRM*, FCC 98-258 (rel. Oct. 9, 1998).

Seek comment on various deregulatory proposals of SBC Communications, Inc. not already subject to other biennial regulatory review proceedings. *1998 Biennial Regulatory Review – Petition for Section 11 Biennial Regulatory Review filed by SBC Communications, Inc., Southwestern Bell Telephone Company, Pacific Bell, and Nevada Bell*, CC Dkt No. 98-177, *NPRM*, FCC 98-238 (rel. Nov. 24, 1998). [Proceeding superceded by *Common Carrier Bureau Announces Agenda for Initial Workshop for Phase I of the Comprehensive Review of Commission's Accounting and Reporting Requirements and Treatment of Ex Parte Presentations in Related Proceedings*, Public Notice, DA 99-758 (rel. Apr. 19, 1999); *Common Carrier Bureau Announces Initiative to Undertake Comprehensive Review of Part 32 and ARMIS Requirements*, Public Notice, DA 99-695 (rel. Apr. 12, 1999); *In the Matter of Comprehensive Review of the Accounting Requirements and ARMIS Reporting Requirements for Incumbent Local Exchange Carriers: Phase 1*, CC Dkt No. 99-253, *NPRM*, FCC 99-174 (rel. July 14, 1999); *Report and Order*, FCC 00-78 (rel. Mar. 8, 2000)].

### **2. Other**

Review current Part 15 and Part 18 power line conducted emissions limits and consider whether the limits may be relaxed to reduce the cost of compliance for a wide variety of electronic equipment. *1998 Biennial Regulatory Review – Conducted Emissions Limits Below 30 MHz for Equipment Regulated Under Parts 15 and 18 of the Commission's Rules*, ET Dkt No. 98-80, *NOI*, FCC 98-102 (rel. June 8, 1998), *NPRM*, FCC 99-296 (rel. Oct. 18, 1999).